

Item 4h **13/01096/FUL**

Case Officer **Caron Taylor**

Ward **Coppull**

Proposal **Erection of 8 x 2 bed bungalows, including associated car parking and landscaping (on former site of The Willows)**

Location **Land 20M South Of 11 Milton Road Coppull**

Applicant **Chorley Community Housing Limited**

Consultation expiry: 3 January 2014

Application expiry: 15 January 2014

Proposal

1. Erection of 8 x 2 bed bungalows, including associated car parking and landscaping (on former site of The Willows)

Recommendation

2. It is recommended that this application is approved subject to conditions.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Background Information
 - Principle of the Development
 - Density
 - Levels
 - Design and Layout
 - Impact on the Neighbours
 - Open Space, Code Level and Viability
 - Trees and Landscape
 - Flood Risk
 - Traffic and Transport
 - Public Right of Way
 - Contamination and Coal Mines
 - Drainage and Sewers
 - Section 106 Agreement

Representations

4. No representations have been received.

Consultations

5. Chorley's Strategic Housing

The Strategic Housing team supports the development of 2 bed roomed bungalows for affordable rent for older people and people with disabilities on this previously developed site. The scheme will be partially grant funded by the Homes and Communities Agency and as a consequence the scheme will need to be completed by March 2015.

6. The properties will be owned and managed by Chorley Community Housing (CCH) and let through the choice based lettings system – Select Move.
7. **Liberata**
See body of report.

8. **United Utilities**

Request a condition requiring the developer to confirm how surface water will be managed.

9. **Lancashire County Council (Highways)**

On a ratio of two car parking spaces to a bedroom, the proposal requires a total of 16 parking spaces to accord with the current Chorley Parking Standard. However, although there appears to be scope for the proposed design to accommodate the required number of spaces, plots 1, 5 and 6 have each been provided with only one parking space.

10. As shown on the drawing the applicant proposes to permanently divert Public Footpath 31 which passes through the site. The applicant is advised that as this footpath is a Public Right of Way, it is the responsibility of the landowner to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way. It should be noted that the granting of planning permission does not constitute the diversion of a Definitive Right of Way.

11. They have no objections to the proposal in principle; however, until the design is amended to accommodate the remaining 3 spaces, they would recommend that approval is resisted. If however Chorley is minded to approve the proposal, they would suggest an advice note is attached.

12. **Chorley's Waste & Contaminated Land Officer**

The information submitted has satisfied them that the site appears suitable for development so they have no objections.

13. **Public Open Space**

The Open Space and Playing Pitch SPD was adopted for development control purposes on 17 September 2013. Therefore, these comments are based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the SPD. There is justification for a commuted sum on this site as follows:

Amenity green space	= £1,120
Equipped play area	= £1,072
Parks/Gardens	= £0
Natural/semi-natural	= £4,456
Allotments	= £120
Playing Pitches	= £12,792
Total	= £19,560

Assessment

Background Information

14. The application site is the former site of The Willows a sheltered housing scheme that was demolished. The site has been vacant since its demolition.

Principle of the development

15. The site is within the settlement of Coppull which is covered by Policy V1 of the emerging Local Plan where the principle of dwellings on the site is considered acceptable.

16. On 25 October, the Inspector issued her Partial Report on her findings into the soundness of the Chorley Local Plan 2012 – 2026. The Inspector's Partial Report is a material consideration in the consideration of this planning application. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies and Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination in April 2014 to consider Gypsy & Traveller Matters, which would enable adoption of the local plan by September 2014, following a supplementary report.

17. Paragraph 18 of the Partial Report states: *"For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my*

forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.”

18. The policies of the emerging Local Plan (subject to any modifications) are therefore given significant weight in the decision making process and the proposal is considered acceptable in principle.

Density

19. The proposal is equivalent to 25 dwellings per hectare, however the development is for bungalows and so the density will be relatively low.
20. The site is almost flat however there is a section in the northeast corner which the properties of Milton Road and Byron Road back onto that is approximately 0.5m higher than the rest of the site. This area will however be a rear garden of one of the bungalows. It is considered that acceptable levels for the properties can therefore be controlled by a condition.

Design and Layout

21. The surrounding area is made up of mainly two-storey properties with some bungalows built in the 1960s/70s.
22. The proposed layout of the bungalows will be staggered on the site. Plots 1 and 4-6 will be positioned close to Milton Road with plots 2/3 and 7/8 set-back between them. Plots 2 and 3 will be visible at the head of Ash Road that runs perpendicular off Milton Road. However, a central gable on these properties although set back from the frontage of Milton Road will create an acceptable vista at the head of Milton Road.
23. It is considered that bungalows are acceptable for this area having regard to the existing mix of properties within the area. Although there are mainly two-storey properties surrounding the site, there are existing bungalows at 34-40 Milton Road opposite the site to the northwest and the site will be viewed in the context of these bungalows. The height of the proposed bungalows reflects the height of those already existing to the northwest.
24. The run of bungalows will have front gables with their front doors set under canopies. Plots 1 will benefit from an attached side carport. They will be constructed of brick with cladding board to the front elevations in cream white, grey-green and blue-grey. The design is in keeping with the area and it is considered the cladding will give the properties a more modern look.
25. The layout of the properties will incorporate parking in tandem spaces and allow for small lawned areas to their frontages.
26. All the properties will have bin storage to the rear of the properties apart from Plot 5 which is the middle property of three. This will have a dedicated bin enclosure built to the front of the property which is considered acceptable as it will screen the bins from the road.
27. The boundaries of the site will be 2.1m or 1.8m timber panel fencing, however the front boundary will be 900mm railings. This is considered acceptable in the streets scene.
28. The proposal is considered to comply with Policy 17 of the adopted Joint Core Strategy.

Impact on the neighbours

29. The site is bounded to the north, east and west by existing two-storey properties on Milton Road, Byron Crescent and Dickens Road. As the proposed properties are only single storey, there will be no first floor windows that will result in overlooking to surrounding properties.
30. There is a close boarded fence on the boundary of the site with a public right of way to the south. Around the rest of the site is a patchy existing hedge that provides limited screening between the site and the existing properties it bounds with. The scheme proposes to remove

this ad replace it with a new timber fence. It is considered this will provide sufficient screening and privacy to the surrounding properties.

Public Open Space, Code for Sustainable Homes and Viability

31. Policy 27 of the Joint Central Lancashire Core Strategy requires all new housing developments to meet Level 4 of the Code for Sustainable Homes or if commenced after 1 January 2016 Level 6 and reduce carbon dioxide emission of predicted energy use by at least 15% through additional building fabric insulation measures or installation of appropriate decentralised, renewable or low carbon energy resources.
32. Policies HS4A and HS4B cover Open Space Requirements in New Housing Developments and Playing Pitch Requirements in New Housing Developments respectively.
33. The scheme is accompanied by a viability statement that states although the scheme will built to Level 4 of the Code for Sustainable Homes there is no further funds for the public open space commuted sum of £11,032 (HCA funding requires it to be complete by March 2015 so it will not need to be built to Level 6). It should be noted that this figure has now increased to £19,560 as it is worked out in accordance with polices HS4A and HS4B of the emerging Local Plan 2012-2026, rather than the adopted Local Plan, which now carry significant weight.
34. Liberata the Council's property services provider has reviewed the viability information and states that as there are no immediate capital receipts from shared ownerships or equities so there are no further funds from which to deduct the commuted sum. The scheme will not break even for 29 years and the only income stream is based upon the rents. The viability is based upon average to higher build costs at £90,000 per unit but that includes for photovoltaic panels per unit so considering they are developing to Code 4 the costs are not significant. They therefore summarize to say there are no further funds available according to the figures for a public open space commuted sum.
35. This National Government's guidance within the National Planning Policy Framework states that: *to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.*
36. It is therefore considered that viability of the scheme with Code Level 4 and a public open space payment would be compromised and the proposal is therefore considered acceptable at Code Level 4 with no public open space or playing pitch contribution.

Trees and Landscape

37. There are twelve trees on the site that will be removed as part of the proposal. None of them are large and all are situated on the rear and side boundaries of the site. A tree survey report has been submitted with the application. All the trees are categorised as either 'U' (trees that are dead, dying have serious defects or are of very low quality) or 'C' (unremarkable trees of very limited merit or of impaired condition). None of the trees to be removed would warrant the protection of a Tree Preservation Order. Their removal is therefore accepted. There is a patchy hedge around most of the rear (east) boundary of the site and part of the north boundary. It will provide no amenity value to the area as it would be between the boundaries of the existing properties that bound with the site and proposed properties. It will be removed as part of the application and replaced with fencing. A condition will be imposed that it should not be removed within the bird breeding season without surveys being undertaken.

Flood Risk

38. The site is not within Flood Zone 2 or 3 as identified by the Environment Agency and it is not over 1 hectare in size. Therefore a Flood Risk Assessment is not required.

Traffic and Transport

39. The proposal is for 8 x two bedroom bungalows. Each will have a driveway onto Milton Road. In accordance with Policy ST4 of the emerging Local Plan each property should have two off-road

parking spaces. Five out of eight of the plots have two spaces, however plots 1, 5 and 6 only benefit from one space.

40. LCC Highways advise that the proposal should be resisted unless the layout is amended to incorporate three extra spaces in line with the policy.
41. Although it may be possible for the layout to be amended to incorporate three more spaces, this would result in the front lawns being removed and parking spaces side to side across most of the frontage. It is not considered that this would be acceptable in terms of views of the site from the street.
42. Although three properties will only have one space, the bungalows are aimed at older people and those with mobility needs. It is considered that many such households are likely to only have one vehicle and there will be some on-street parking available outside the properties as the road is reasonably wide (approximately 5.3m). Therefore on balance, it is considered allowing the scheme with a shortage of three spaces is acceptable in this instance and retains the frontage lawns to the properties.
43. The properties will benefit from sheds in the rear gardens which can be used for cycle storage as required by Policy ST4.
44. The proposal is therefore considered acceptable in relation to highways.

Public Right of Way

45. The definitive route of Public Right of Way number 31 cuts across the southwest corner of the site. The actual route of the footpath cannot be walked in practice as both ends of it are blocked by existing fencing that encloses the application site. Adjacent to the site to the south there is a ginnel which the public use as the footpath. There is a separate report on this committee agenda dealing with the Public Right of Way diversion so it is diverted along the route of the existing ginnel.

Contamination and Coal Mines

46. The site is within a Low Risk Area as identified by The Coal Authority. This requires an informative note to be added to any permission.

Drainage and Sewers

47. A drainage plan has been submitted with the application showing the site will be connected to the existing foul and surface water sewers and is considered acceptable. This will be controlled by a condition.

Section 106 Agreement

48. No Section 106 is required.

Overall Conclusion

49. The application is recommended for approval subject to conditions.

Planning Policies

National Planning Policies:

The National Planning Policy Framework

Joint Core Strategy

Policies 17 and 27

Emerging Local Plan 2012-2026

Policies V1, ST4

Planning History

11/00816/DEMCON Application for prior determination in respect of the proposed demolition of 2 storey block of flats. Demolition approved October 2011.

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission. *Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*
2. The foul and surface water drainage for the site shall be carried out in accordance with the details on approved plan ref: 13.B. 10116/20 (Drainage Layout submitted 25th November 2013) concurrently with the rest of the development and in any event shall be finished before the dwellings are occupied. *Reason: To ensure a satisfactory means of drainage.*
3. Before the development hereby permitted is first commenced, other than site preparation works, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.*
4. Tree felling, vegetation clearance works, or other works that may affect nesting birds must be avoided between March and August inclusive, unless the absence of nesting birds has been confirmed by surveys or inspections. *Reason: To avoid harm to nesting birds.*
5. Prior to the commencement of development, other than site preparation works, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved. *Reason: To ensure that the materials used are visually appropriate to the locality.*
6. The dwellings hereby permitted shall meet Code Level 4 of the Code for Sustainable Homes. Prior to the commencement of the development, other than site preparation works, a Code Pre-Assessment shall be submitted to the Local Planning Authority to demonstrate compliance with Code Level 4. The Design Stage Assessment shall then be carried out as stated in the submitted Pre-Assessment. No dwelling shall be occupied until a letter of assurance; detailing how that plot has met the relevant Code Level has been issued by a Code for Sustainable Homes Assessor. Within 6 months of occupation of each dwelling a Final Certificate, certifying that the relevant Code for Sustainable Homes Level for that dwelling has been achieved, shall be submitted to the Local Planning Authority. *Reason: In the interests of minimising the environmental impact of the development.*
7. The development hereby permitted shall not commence, other than site preparation works, until full details of the colour, form and texture of all hard ground-surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details. *Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.*
8. The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plans prior to the occupation of any of the dwellings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 1995). *Reason: To ensure provision of adequate off-street parking facilities within the site.*
9. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown

in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development. *Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.*

10. The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Received date
Location Plan	100	20 th November 2013
Drainage Layout	13.B.10116/20	20 th November 2013
Plots 4, 5 + 6 Plans & Elevations	115 Rev B	20 th November 2013
Plots 2 + 3 Plans & Elevation	114 Rev A	20 th November 2013
Unit Type B Elevations	113 Rev B	20 th November 2013
Proposed Unit Type B	112 Rev B	20 th November 2013
Type A Elevations	112 Rev B	20 th November 2013
Proposed Unit Type A	110 Rev A	20 th November 2013
Proposed Street Elevations	108 Rev C	20 th November 2013
Proposed Site Plan	105 Rev D	20 th November 2013

Reason: For the avoidance of doubt and in the interests of proper planning.